

Application Number 10/646,266
Response to Interview of 1 February 2005

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of the claims in the application:

Listing of Claims:

1. (canceled)
2. (currently amended) A ~~crystal~~ **crystalline form** of 2-amino-7-(ethanimidoylamino)-2-methylhept-5-enoic acid 1.5 hydrochloride characterized by at least one physical measurement selected from the group consisting of: x-ray powder diffraction pattern as shown in Fig. 3, Raman spectrum as shown in Fig. 6, melting point of 224 °C and a heat of fusion of 147 joules gram⁻¹.
- 3-8 (canceled)

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IV. Claim 8, drawn to a synthetic preparation method for preparing compounds described in the said claim in class 562 and subclass 460.

Applicants elected the invention of claims 2-4, group II, without traverse. Claims 1 and 5-8 are withdrawn.

III. Claim Amendments

Claim 2 has been amended to reflect a crystalline form of 2-amino-7-(ethanimidoylamino)-2-methylhept-5-enoic acid, 1.5 hydrochloride. No new matter is introduced.

Claims 3-8 have been canceled without prejudice.

The amendments is believed to clarify the claims, and put claim 2 in condition for allowance.

Claims 1 and 3-8 have been canceled according to the requirement for restriction.

Statement of Common Ownership, Duty to Assign Invention

Applicant's representative makes the following statement, to disqualify U.S. Serial Number 09/953,049, (published as US 2002-0132849 A1, September 19, 2002) and filed September 15, 2001, (now allowed), and/or WO 02/22562 A1 (published March 21, 2002, the International (PCT) application corresponding to U.S. 09/953,049) as prior art. The above references should be disqualified as prior art in the instant application, because the instant application was filed after November 29, 1999, and subject to an obligation of assignment at the time of the invention. Note that the instant application, U.S. Serial Number 10/646,266 claims priority to U.S. Provisional Application Serial Number 60/405,526, filed August 23, 2002. Therefore, the instant application was filed less than one year prior to the publication of WO 02.22562 and US 2002-0132849.

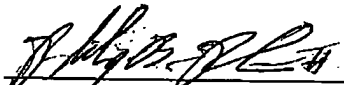
Applicant's representative hereby states that the claimed subject matter for the present application, U.S. Serial No. 10/646,266 is commonly owned, and was subject to an obligation of assignment to the same organization, Pharmacia Corporation, at the time the invention was made. As evidence of common ownership, a copy of the assignment

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document for U.S. Serial Number 09/953,049, recorded at Reel/Frame 012704/0954 and the instant application, U.S. Serial Number 10/646,266, recorded at Reel/Frame 014592/0982, are attached as an appendix to this paper.

If the Examiner believes a telephonic interview with Applicant's representative would aid in the prosecution of this application, he is cordially invited to contact Applicant's representative at the below listed number.

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